

**North Little Rock Planning Commission**  
**Regular Meeting**  
**June 14, 2016**

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Chairman Clifton called the regular meeting of the North Little Rock Planning Commission to order at 4:45 PM in the Council Chambers, City Hall.

**Members Present:**

Alexander  
Belasco  
Chambers  
Dietz  
Foster  
Harris  
Phillips  
White  
Clifton, Chairman

**Staff Present:**

Shawn Spencer, Director  
Tim Reavis, City Planner  
Marie Miller, City Attorney  
Keisa Stewart, Secretary

**Others Present:**

Alderman Ross  
Alderman Witcher  
Alderman Taylor

**Approval of Minutes:**

Motion was made and seconded to approve the April meeting minutes as submitted. The minutes were approved with (9) affirmative votes.

**Administrative:**

Item 1 (Conditional Use 2016-6) and Item 5 (Rezone 2016-5) has been withdrawn.

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**Subdivision Administrative:****A. SD2016-20 Northshore Business Park, Lot 13, Block 8 (Site Plan Review of an industrial lot located at 5400 Northshore Dr.)****1. Permit requirements/approvals before a building permit will be issued:**

- a. Provide CNLR Stormwater Permit with stormwater plans showing silt fence, storm inlet
- b. protection, and drainage details.
- c. Provide driveway/curb cut(s) from City Engineer
- d. Provide Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit.
- e. Provide Arkansas Department of Health approval for water and sewer facilities.
- f. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
- g. Prior to construction, Owner's Architect/Engineer shall submit approved preliminary plat, construction plans and specifications (PDF format) to the City Engineer.

**2. Meet the requirements of the City Engineer, including:**

- a. At the end of construction, Owner/Developer shall have a Professional Engineer, licensed in the State of Arkansas, certify that all street and stormwater improvements in conjunction with this subdivision and/or the proposed development have been inspected and constructed in accordance with the approved plans and meet all City of North Little Rocks Standard Specifications.
- b. Driveway radii returns built to City Engineer's specifications.
- c. Cross drains in the ROW are to be RCP with flared end section unless approved by Engineering.

**3. Meet the requirements of Community Planning, including:**

- a. Provide the standard requirements of Zoning and Development Regulations.
- b. No fence is to be within a front building line.
- c. All exterior lighting shall be shielded and not encroach onto neighboring properties.

**4. Meet the requirements of the Master Street Plan.****5. Meet the requirements of the Screening and Landscaping ordinance, including:**

- a. All disturbed areas are to be sodded or seeded, fertilized, watered and mulched.
- b. Provide automated underground irrigation to all required trees and shrubs.
- c. Provide (16) street trees 40' as shown.
- d. Provide (10) parking lot shade trees as shown.
- e. Parking lot shade trees must be at the furthest 10' from edge of paving.
- f. Provide a continuous screen of shrubs for any parking spots that face a street or abutting property.

**6. Meet the following requirements concerning signage:**

- a. All signs require a permit and separate review.
- b. No pole sign permitted. No electronic changeable copy sign permitted.

**7. Meet the requirements of the Fire Marshal, including:**

- a. Provide an approved fire protection plan.
- b. Meet Fire Marshal's requirements on fire hydrant location and sprinkler requirements.
- c. Fire hydrants to be within 400 feet of all areas of building.

**8. Meet the requirements of CAW, including:**

- a. All CAW requirements in effect at the time of request for water service must be met.
- b. If there are facilities that need to be adjusted and/or relocated, contact CAW. That work will be done at the expense of the developer.



- c. Meet CAW requirements for RPZ, private facilities, fire sprinkler systems, meter size, and meter location.
  - d. Approval of plans by AR Dept. of Health Engineering Division is required.
  - e. Proposed water facilities will be sized to provide adequate pressure and fire protection.
- 9. Meet the requirements of NLR Wastewater, including:**
- a. Submit applicable plans to the North Little Rock Wastewater Engineering Department prior to construction for review and written approval.
  - b. A White Oak Interceptor Fee may apply to this project. Please contact Gina Briley with North Little Rock Wastewater (501-945-7186) for confirmation.
  - c. A complete set of drawings for development must be submitted to NLR Wastewater.
  - d. Approval of plans by AR Dept. of Health Engineering Division is required.

Mr. Chambers stated the applicant met with the Development Review Committee and has agreed to all the requirements. There were no additional comments from Commissioners or the audience. The motion to approve was passed with (9) affirmative votes.

**B. SD2016-21 Harris Industrial Park, Lot 1AR (Site Plan Review of Tri-State Truck located at SW corner of Harris Rd and Diamond Dr.)**

- 1. Permit requirements/approvals before a building permit will be issued:**
  - a. Pay the drainage in-lieu fee of \$5000/acre for commercial/industrial development or meet City Engineers requirements on drainage.
  - b. Provide CNLR Stormwater Permit with stormwater plans showing silt fence, storm inlet
  - c. protection, and drainage details.
  - d. Provide driveway/curb cut from City Engineer or AHTD if State Highway
  - e. Provide Arkansas Department of Environmental Quality (ADEQ) Stormwater Permit.
  - f. Provide Arkansas Department of Health approval for water and sewer facilities.
  - g. Prior to any excavation/street cuts within street ROW, obtain CNLR Excavation and Barricade Plan Application/Permit.
  - h. Prior to construction, Owner's Architect/Engineer shall submit approved preliminary plat, construction plans and specifications (PDF format) to the City Engineer.
- 2. Meet the requirements of the City Engineer, including:**
  - a. At the end of construction, Owner/Developer shall have a Professional Engineer, licensed in the State of Arkansas, certify that all street and stormwater improvements in conjunction with this subdivision and/or the proposed development have been inspected and constructed in accordance with the approved plans and meet all City of North Little Rocks Standard Specifications.
- 3. Meet the requirements of Community Planning, including:**
  - a. Provide the standard requirements of Zoning and Development Regulations.
  - b. Dumpster to have masonry screening.
  - c. Allow 6' decorative front yard fence.
  - d. Fence at SW corner to be setback as not to block views of traffic on future Harris Road ROW.
  - e. All exterior lighting shall be shielded and not encroach onto neighboring properties.
- 4. Meet the requirements of the Master Street Plan.**
- 5. Meet the requirements of the Screening and Landscaping ordinance, including:**
  - a. All disturbed areas are to be sodded or seeded, fertilized, watered and mulched.
  - b. Provide automated underground irrigation to all required trees and shrubs.
  - c. Provide 13 street trees.

- d. Provide 33 parking lot shade trees, 11 of the 33 to be located in the interior of the lot.
  - e. Parking lot shade trees must be at the furthest 10' from edge of paving.
  - f. Provide a continuous screen of shrubs for any parking spots that face a street or abutting property.
- 6. Meet the following requirements concerning signage:**
- a. All signs require a permit and separate review.
  - b. No electronic changeable copy sign permitted.
  - c. Allow a max. of a 20' tall pylon sign with a total max. area including the pylon of 64 sq. feet.
- 7. Meet the requirements of the Fire Marshal, including:**
- a. Provide an approved fire protection plan.
  - b. An automatic fire sprinkler is required for this building.
  - c. Meet Fire Marshal's requirements on fire hydrant location.
  - d. Fire hydrants to be within 400 feet of all areas of building.
- 8. Meet the requirements of CAW, including:**
- a. All CAW requirements in effect at the time of request for water service must be met.
  - b. If there are facilities that need to be adjusted and/or relocated, contact CAW. That work will be done at the expense of the developer.
  - c. Meet CAW requirements for RPZ, private facilities, fire sprinkler systems, meter size, and meter location.
  - d. Approval of plans by AR Dept. of Health Engineering Division is required.
  - e. Proposed water facilities will be sized to provide adequate pressure and fire protection.
- 9. Meet the requirements of NLR Wastewater, including:**
- a. Identify material for the sanitary sewer service line and provide justification for a 6" service line. Label as "Private SS Main".
  - b. Core and Install a Kor-N-Seal Boot (or approved equal) when tying into an existing manhole. Install pipe no higher than 2.0' from the bottom of the manhole.
  - c. An application/questionnaire is required to be submitted to NLRW to determine if Industrial User status is required.
  - d. Show existing sanitary sewer force main located on the south end of the property.
  - e. A Hill Lake Connection fee will likely apply before a permit is issued. Contact Gina Briley (501-945-7186) for confirmation.
  - f. Prior to construction, floor plans, plumbing plans, and any other applicable plans shall be reviewed and approved in writing by the North Little Rock Wastewater Engineering Department.
  - g. Provide a copy of the Final Plat as additional easements may be required.

Mr. Chambers stated the applicant met with the Development Review Committee and has agreed to all the requirements. There were no additional comments from Commissioners or the audience. The motion to approve was passed with (9) affirmative votes.

### **Public Hearings:**

1. Conditional Use 2016-6: (withdrawn) To allow a car lot in a C-4 zone located at 2006 Highway 161.



2. Special Use 2016-6: To allow the selling of topsoil the construction of a new pond in an R-2 Zone.

The applicant, Ms. Kaye Lynn Tankersley, was present. She explained that they would like to have an additional pond and they would like to use the dirt from pond to sell.

Mr. Chambers asked about any comments from the Corps of Engineers, he did recognize under the list conditions that the applicant has to meet all applicable Federal, State, County and City requirements.

Mr. Spencer stated that the applicant is working with the City Engineer.

Ms. Penny Noblett asked about the redirection of the water, will the applicant be able to keep standing water off of Dortch Loop.

Mr. Chris Wilbourn stated that the property is east of Faulkner Crossing, Stone Links doesn't drain in this area. He stated that there have been drainage issues in the Faulkner Crossing area including beaver dams, that has been removed, and they are working with the engineers of Rausch Coleman to get drainage easements.

Ms. Tankersley stated that they are not changing any existing drainage, they just want to add a pond in order to water the cattle. She stated that drainage should not have been a part of her special use application.

There was more discussion about Ms. Noblett concerns about the over flow of standing water and drainage issues.

Mr. White made a motion to approve with the City Engineers approval.

A motion was made and seconded to approve this application with City Engineers approval.

Ms. Alexander asked the applicant if she is asking the Commissioners to approve digging dirt.

Ms. Tankersley stated that they are zoned residential and they want to build a pond and sell top soil, all of those things are not covered under residential zone so they need a special use to do that.

Mr. White changed his motion to "To allow the selling of top soil and the construction of a new pond in an R-2 zone".

The motion was made and seconded.

Conditions:

1. Applicant to hire an Engineer to provide detailed drainage plan to properly handle stormwater runoff on adjacent property to the East.
2. Applicant to hire an Engineer that will accurately describe the drainage easements and easements to be recorded with the County.
3. City Engineer to approve the Drainage Plan.
4. City Engineer to approve the drainage easements before they are recorded with the County.

5. Dirt removal to meet all ADEQ requirements.
6. Drainage easements are not to be maintained by the City.
7. Dirt sales limited to 2 years for date of approval by City Council.
8. Hours of operation of any business on property to be Mon-Sat, 8am-6pm.
9. All Signage must comply with the sign ordinance for an R-2 Zone.
10. Applicant must meet all applicable Federal, State, County, and City requirements,
11. Business license to be issued after Planning Staff confirmation of requirements,
12. Applicant/owner understands that failure to comply with these conditions may result in loss of the Special Use and/or loss of Business License and/or removal of Electric Power Meter.

Chairman Clifton asked for a roll call vote on the application with amendment.

<b>Alexander</b>	<b>Yes</b>	<b>Dietz</b>	<b>Yes</b>	<b>Phillips</b>	<b>Yes</b>
<b>Belasco</b>	<b>Yes</b>	<b>Foster</b>	<b>Yes</b>	<b>White</b>	<b>Yes</b>
<b>Chambers</b>	<b>Yes</b>	<b>Harris</b>	<b>Yes</b>	<b>Clifton</b>	<b>Yes</b>

Special Use 2016-6 was approved with (9) affirmative votes.

3. Conditional Use 2016-9: To allow a car lot in a C-4 Zone located at 3809 Highway 161.

The applicant, Mr. Darell Adelsberger and Mr. Joseph Kim, were present. He gave brief explanation regarding the fence on the property.

Chairman Clifton asked if anyone in the audience would like to speak for or against this application.

Mr. Isiah Ervin asked for clarification as to which building is 3809 Hwy 161. He asked about the parking for the car dealership.

Mr. Adelsberger stated that there was confusion about the addressing but it has been cleared up by Pulaski County Assessor's Office.

Mr. Kim assured Mr. Ervin that there will be no parking on the church parking lot next door to this property. He is only allowed 32 cars maximum on the lot.

Chairman Clifton asked if there were any further comments.

Mr. White expressed concern about item 2 in the first half of recommendations and item 3 in the second half of recommendations, stating that they are conflicting.

Mr. Spencer explained that the original 15 requirements are set by City Council so they cannot be amended by the Planning Commissioners. The top two are recommendations to amended sections of the original 15.

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DESIGN REVIEW COMMITTEE RECOMMENDS THE FOLLOWING CHANGES TO THE SET 15 REQUIREMENTS:

1. The front yard fence be allowed to stay due to security concerns.



2. Allow the existing slatted chain link fence at the rear of the property be allowed to serve as a buffer for the existing residence.

DESIGN REVIEW COMMITTEE RECOMENDATION: Approval with conditions.

1. Fences shall not be allowed in the front yard of a vehicle sales lot, except as mandated under Article 15 hereof.
2. Existing fences located in the front yard of a vehicle sales lot shall be removed, unless required when adjacent to residential use.
3. Six-foot wood privacy fence shall be required when vehicle sales lot abuts a residential use. Fences shall not extend beyond the front building line of the abutting residential use.
4. Vehicle sales lots shall not utilize barb wire or razor wire. Any existing barb wire or razor wire shall be removed.
5. There shall be a ratio of one vehicle per every 450 square feet of open lot area. This allows for a maximum of 32 vehicles. This ratio shall include sales, employee, and customer vehicles. Open lot area does not include any structures.
6. All exterior vehicle sales lot lighting, located on a building or free standing, shall be shielded and directed downward. Lighting shall be directed away from abutting residential uses.
7. Sales vehicles shall be displayed on one of the following surfaces: asphalt paving or concrete. Asphalt paving shall meet the standards of the City Engineer. Sales vehicles shall not be displayed on grass or gravel surfaces.
8. All signage shall meet the requirements of Article 14 of the zoning ordinance.
9. No inoperable or wrecked vehicles shall be stored or sold from the sales lot. Vehicle sales lots shall not store inoperable or wrecked vehicles, nor any parts thereof, as those terms are defined under the North Little Rock Property Maintenance and Nuisance Abatement Code.
10. Vehicle sales lot shall be maintained at all times.
11. Sales vehicles shall be locked and secured after business hours.
12. Sales vehicles shall not be used as storage.
13. Vehicle sales lot and any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
14. Business license to be issued after Planning Staff confirmation of requirements.
15. Business license holder understands that failure to comply with these conditions may result in loss of the Special Use and/or loss of Business License and/or removal of Electric Power Meter.

Chairman Clifton asked for a roll call vote on the application.

<b>Alexander</b>	<b>Yes</b>	<b>Dietz</b>	<b>Yes</b>	<b>Phillips</b>	<b>Yes</b>
<b>Belasco</b>	<b>Yes</b>	<b>Foster</b>	<b>Yes</b>	<b>White</b>	<b>Yes</b>
<b>Chambers</b>	<b>Yes</b>	<b>Harris</b>	<b>Yes</b>	<b>Clifton</b>	<b>Yes</b>

Conditional Use 2016-9 was approved with (9) affirmative votes.

4. Special Use 2016-7: To allow an outdoor car lot in a C-3 zone.

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The applicant, Mr. Joey Stoll, was present. He stated he received and agree with the recommendations.

Chairman Clifton stated that staff is recommending to amend the application to a special use instead of rezoning. He asked if the applicant agrees with this recommendation.

Mr. Stoll says that he agrees with the recommendation as long as he can sell cars. He agreed to amend his application to a special use instead of rezoning.

Chairman Clifton asked if anyone in the audience would like to speak for or against this application.

Mr. George Satterfield expressed his concern about having a car lot at this location, he stated that its limited space.

Mr. Spencer explained that the applicant is only allowed 4 cars at a time.

A motion was made and seconded to approved this application as amended.

Chairman Clifton asked if there were any further comments.

There were no further comments.

Conditions:

1. Fences shall not be allowed in the front yard of a vehicle sales lot, except as mandated under Article 15 hereof.
2. Existing fences located in the front yard of a vehicle sales lot shall be removed, unless required when adjacent to residential use.
3. Six-foot wood privacy fence shall be required when vehicle sales lot abuts a residential use. Fences shall not extend beyond the front building line of the abutting residential use.
4. Vehicle sales lots shall not utilize barb wire or razor wire. Any existing barb wire or razor wire shall be removed.
5. There shall be a ratio of one vehicle per every 450 square feet of open lot area. This allows for a maximum of 4 cars for sale at any one time. Open lot area does not include any structures.
6. All exterior vehicle sales lot lighting, located on a building or free standing, shall be shielded and directed downward. Lighting shall be directed away from abutting residential uses.
7. Sales vehicles shall be displayed on one of the following surfaces: asphalt paving or concrete. Asphalt paving shall meet the standards of the City Engineer. Sales vehicles shall not be displayed on grass or gravel surfaces.
8. All signage shall meet the requirements of Article 14 of the zoning ordinance.
9. No inoperable or wrecked vehicles shall be stored or sold from the sales lot. Vehicle sales lots shall not store inoperable or wrecked vehicles, nor any parts thereof, as those terms are defined under the North Little Rock Property Maintenance and Nuisance Abatement Code.
10. Vehicle sales lot shall be maintained at all times.
11. Sales vehicles shall be locked and secured after business hours.
12. Sales vehicles shall not be used as storage.
13. Vehicle sales lot and any structures located on the lot shall meet all applicable Federal, State, County and City requirements and codes.
14. Business license to be issued after Planning Staff confirmation of requirements.



15. Business license holder understands that failure to comply with these conditions may result in loss of the Special Use and/or loss of Business License and/or removal of Electric Power Meter.

Chairman Clifton asked for a roll call vote on the application as amended.

<b>Alexander</b>	<b>Yes</b>	<b>Dietz</b>	<b>Yes</b>	<b>Phillips</b>	<b>Yes</b>
<b>Belasco</b>	<b>Yes</b>	<b>Foster</b>	<b>Yes</b>	<b>White</b>	<b>Yes</b>
<b>Chambers</b>	<b>Yes</b>	<b>Harris</b>	<b>Yes</b>	<b>Clifton</b>	<b>Yes</b>

Special Use 2016-7 was approved with (9) affirmative votes.

5. Rezone 2016-5: (withdrawn) To rezone land located at the NE corner of Randolph Rd. & McCain Ave from R-4 to C-2 to allow for commercial development.
6. Special Use 2016-8 (Rezone #2016-3): To rezone the 1700 Block of Washington Ave from R-4 to I-2 to allow for truck and outdoor material storage.

The applicant, Mr. Jim Walker, was present. He explained the type of mesh they will use for fencing. He stated that he spoke with Mr. Chambers about planting bushes, they would be better than planting trees.

Mr. Spencer asked if the request is for the entire block or just the alley. He stated that in Mr. Walker's legal description it only states lots 1-6 and that is only for the south half of the block.

Mr. Walker answered the entire block. He explained that some of the patrons was concerned about the material storage and they want to go ahead and use the half lot and get the other end fenced.

Chairman Clifton asked for clarification on what the applicant is asking for. He asked the applicant would he be willing to amend his request to a special use.

Mr. Walker agreed to amend his request to a special use.

Chairman Clifton asked if anyone in the audience would like to speak for or against this application.

Mrs. Ethelrine Taylor she is opposed to this application. She explained that in last month's meeting, she understood that the applicant was supposed to speak to the neighbors about what is going on and no one has heard from him.

Mr. Chambers acknowledge that he did meet with Mr. Walker and discussed the item of a PUD but he is unsure about the property lines and fencing. He stated that there is not enough information for him to make any decision.

Mr. White explained that the applicant is not required to meet with the neighborhood, it was only recommended. He is in agreement with the changes.

Mr. Chambers asked for clarification of the diagram that was given of how the materials will be stored.

Mr. Walker stated that the material will be stored on the entire lot depending on the inventory. He stated that the materials will be stored inside the gate about 7 or 8 feet tall.

There was more discussion about clarification on how to word the applicants request.

A motion was made and seconded to set the conditions for special use application.

Conditions:

1. Alley to be closed before the Special Use goes before the City Council.
2. A to scale - detailed drawing to be provided showing the proposal. (show streets, sidewalks, property lines, fences, entrance/exits, fence type, fence height, shrub locations, 10' buffer area, the type of material the lot is- gravel or paved)
3. Existing chain link fence to remain.
4. Allow green mesh netting to serve as opaque screening.
5. Locations/setbacks for the proposed chain link fence to be the same as existing fence.
6. Plant shrubs (Nellie Stevens Holly) every 6' on center around perimeter of property.
7. Provide automated underground irrigation to all shrubs.
8. No materials to be stored/stacked within 10' of the fence.
9. Maximum height of materials to be stored/stacked to be 8 feet.
10. All unloading of materials to be done on the interior of the lot (no unloading on the street).
11. Exit and Entrance of the lot to be from Washington.

Chairman Clifton asked if there were any further comments.

There were no further comments.

Chairman Clifton asked for a roll call vote on the application.

<b>Alexander</b>	<b>Yes</b>	<b>Dietz</b>	<b>Yes</b>	<b>Phillips</b>	<b>Yes</b>
<b>Belasco</b>	<b>Yes</b>	<b>Foster</b>	<b>Yes</b>	<b>White</b>	<b>Yes</b>
<b>Chambers</b>	<b>No</b>	<b>Harris</b>	<b>Yes</b>	<b>Clifton</b>	<b>Yes</b>

Special Use 2016-8 was approved with (8) affirmative and (1) opposed votes.

#### **Public Comments/Adjournment:**

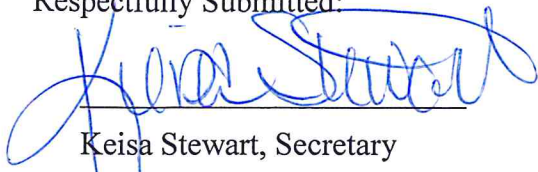
Mr. White inquired about regulations for RV's in the front and side yard. He asked about getting legislation to prevent parking RV's in the City of NLR. Mr. Spencer stated that any amendments to the Municipal Code would require actions by the City Council. Any citizen (or commissioner) can ask an Alderperson to sponsor an amendment.

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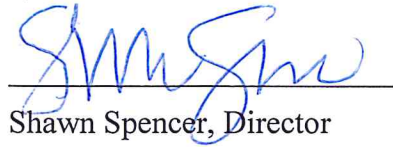
A motion was made to adjourn and it was seconded. The motion passed with (9) affirmative votes and the meeting was adjourned at 6:00 pm.



Respectfully Submitted:



Keisa Stewart, Secretary



Shawn Spencer, Director